

engaged with the conduit until the shower arm assembly is adjacent the wall. Thus, the visible

portion of the modular shower arm mounting system may be replaced with any style that is desired by the user.

#### REWRITTEN CLAIMS IN CLEAN FORM

✓  
Cancel claims ✓✓✓✓✓  
1-15 and 18-22.

16. (Amended) A suite of water control plumbing fixtures having a common decorative theme, each fixture for mounting on a support, which support has a normally visible surface and a normally non-visible surface, and wherein each fixture has water supply connections on the normally non-visible surface and has a functional and decorative element on the normally visible surface, and wherein the functional and decorative element of all such fixtures may be removed and replaced from the fixture from the visible surface without affecting the water supply connections on the normally non-visible surface,

each fixture including a waterway attached to the water supply connections, each waterway extending into its respective functional and decorative element to supply water thereto, and fastening means mounted on each waterway on the visible surface, each fastening means including means for attaching and removing its respective decorative and functional element from only the visible surface of the support.

#### REMARKS

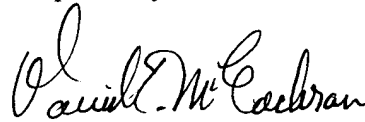
This preliminary amendment is being filed to incorporate the specification and drawings of application Serial No. 09/422,773, the disclosure of which was formerly referenced on page 6 of this application as being incorporated by reference. The undersigned herein states that the only material being added to this application is that taken verbatim,

except for drawing figure numbers, from the '773 application. The inventor of the '773 application, Erwin F. Mikol, is one of the inventors designated in the present application.

All claims except for claims 16 and 17 have been cancelled, and claim 16 has been amended herein.

An action on the merits is respectfully requested.

Respectfully submitted,



Daniel C. McEachran  
Registration No. 19,804

Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd.  
200 West Adams Street - Suite 2850  
Chicago, IL 60606  
(312) 236-8500  
December 19, 2001  
(Attorney's Docket: Moen 565-Cont.)

10026610-121901

VERSION OF SPECIFICATION WITH MARKINGS TO SHOW CHANGES MADE

Page 2, line 19, delete "and".

~~Fig. 7 is a section along plane 7-7 of Fig. 6; [and]~~

Page 2, line 20, at the end of the sentence, delete the period and insert a semi-colon, and add the description of Figs. 9, 10 and 11:

Fig. 8 is a bottom view of the spout screw[.];

Fig. 9 is a side view of the shower arm mounting system with an attached shower head;

Fig. 10 is a partial vertical section of the mounting system shown in Fig. 9; and

Fig. 11 is a section along plane 3-3 of Fig. 2.

Page 6, line 20, after "fixtures within a bath suite." delete the remainder of the paragraph.

fixtures within a bath suite. [U.S. patent application Serial No. 09,422,773, filed on October 22, 1999 and assigned to Moen Incorporated, assignee of the present application, discloses a modular shower arm assembly, and the disclosure of such application is herein incorporated by reference.]

Page 6, line 20, add the following new paragraphs:

In FIG. 9 and FIG. 10, the modular shower arm mounting system 110 includes a water conduit 112, a replaceable shower arm assembly 114 and an O-ring 116.

The water conduit 112 has a generally uniform inner diameter 118 and an outer diameter 120 with a hexagonally shaped portion 122 adjacent a threaded area 124. The conduit 112 has one end 126 threadably attached to a manifold behind the shower wall 127 and an outlet end 128 projecting from the wall 127 a sufficient distance such that the hexagonally shaped portion 122 and threaded portion 124 are spaced away from the wall 127. The conduit 112 is connected to the manifold and thus provides a firm support for the visible elements of the shower assembly.

FIG. 11 shows the hexagonally or polygonally shaped portion 122 which serves as a drive or tool engaging surface to allow the conduit 112 to be tightened to the manifold. The threaded area 124 provides for threaded engagement with the replaceable shower arm assembly 114.

It is preferred that all or a substantial portion of the conduit 112 which projects from the wall be located within the replaceable shower arm assembly 114 so that only the replaceable elements are visible. It is also preferred that the threaded portion 124 of the conduit be located adjacent the wall with the hexagonally shaped portion 122 being located adjacent and downstream thereof so that in assembly the replaceable shower arm assembly 114 passes over the hexagonally shaped portion 122 and threadably engages the threaded portion 124.

The replaceable shower arm assembly 114 has an inner wall 130 which has both a threaded portion 132 and a substantially smooth portion 134. The outer diameter 136 of the assembly 114 gradually decreases from adjacent the wall 127 toward an outwardly projecting end 138. The threaded portion 132 of the inner wall 130 is several times longer than the threaded portion 124 of the conduit 112 so that the shower arm assembly 114 may be continually tightened on the conduit 112 until the shower arm assembly is adjacent the wall with the shower arm assembly forming all or substantially all of the visible portion of the mounting system 110.

The substantially smooth portion 134 of the inner wall 130 gradually decreases downstream of the threaded portion 132 as the inner wall approaches the outwardly projecting threaded end 138.

A portion of the outwardly projecting end 138 may be angled down with respect to the rest of the shower arm assembly 114 so that projecting end is directed towards the user. As shown in FIG. 9, the projecting end 138 may threadably mount a shower head shown in phantom.

The O-ring 116 is adjacent the outlet end 128 of the conduit 112 and is positioned in an appropriately sized groove 140 to form a seal between the assembly 114 and the conduit 112. Because all or a substantial portion of the conduit 112 which projects beyond the wall is positioned within the replaceable shower arm assembly 114, a user desiring to change the appearance of the fixture need only replace the shower arm assembly 114. The assembly 114 is configured for easy and convenient removal so that the style and/or color of the shower arm may be conveniently changed by the user without the complication associated with behind the wall connections. The user merely threadably removes the old shower arm assembly without disconnecting the conduit from the manifold. Then the new shower arm assembly with the desired aesthetics and a similar threadable configuration to the old shower arm assembly is engaged with the conduit until the shower arm assembly is adjacent the wall. Thus, the visible portion of the modular shower arm mounting system may be replaced with any style that is desired by the user.

VERSION OF CLAIMS WITH MARKINGS TO SHOW CHANGES MADE

16. (Amended) A suite of water control plumbing fixtures having a common decorative theme, each fixture for mounting on a support, which support has a normally visible surface and a normally non-visible surface, and wherein each fixture has water supply connections on the normally non-visible surface and has a functional and decorative element on the normally visible surface, and wherein the functional and decorative element of all such fixtures may be removed and replaced from the fixture from the visible surface without affecting the water supply connections on the normally non-visible surface,

each fixture including a waterway attached to the water supply connections, each waterway extending into its respective functional and decorative element to supply water thereto, and [clamping] fastening means mounted on each waterway on the visible surface, each [clamping] fastening means including means for attaching and removing its respective decorative and functional element from only the visible surface of the support.